

REMARKS/ARGUMENTS

The office action of November 3, 2006 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 28-63 remain pending in this application. Claims 1-27 have been canceled without prejudice or disclaimer.

Claims 1-18

Claims 1-9 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 5-7, 9, 10, 14-16 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. publication 2002/0135613 to O'Hara. Claims 2-4, 8, 11-13 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Hara in view of U.S. publication no. no. 2004/0268148 to Karjala et al. ("Karjala"). Applicants respectfully traverse these rejections. Notwithstanding the merits of these rejections, applicants have canceled claims 1-18 without prejudice or disclaimer to expedite prosecution.

Claims 19-63

Although not specifically rejected, the Office Action further states that each of claims 19-63 could be rejected upon the same basis as claims 1-18. However, the rejection of claims 19-27 is rendered moot as these claims have been canceled without prejudice or disclaimer.

Regarding claims 28-63, Applicants submitted a Declaration under 37 CFR § 1.131 with the last response establishing a reduction to practice for these claims 28-63 prior to June 30, 2003, the filing date of Karjala. As such, Karjala does not qualify as prior art to claims 28-63. Therefore, the rejection of claims 28-63 based on the combination of O'Hara and Karjala is improper and these claims are in immediate condition for allowance.

CONCLUSION

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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